

**COMPREHENSIVE PLAN
Annual Amendment Review**

File No.: MSC10-0119

LEWIS COUNTY

STAFF REPORT

PROPOSAL INFORMATION

Contact	Jim Rothlin		
Owner	Port of Chehalis		
Request	<input checked="" type="checkbox"/> Map <input type="checkbox"/> Text <input type="checkbox"/> UGA Change <input type="checkbox"/> Other		
	Existing Comprehensive Plan Designation:	RDD-5	
	Proposed Comprehensive Plan Designation:	Rural Area Industrial	
	Existing Zoning Category:	RDD-5	
	Proposed Zoning Category:	Rural Area Industrial	
Location/Site Size	Located on Moon Hill Road, Black Road, Boistfort Road	Approximately 391.37 acres	
Parcel Number(s)	019482001001, 019489002003, 019482001004, 019512002000		
Site Description	Existing Uses	Parcels undeveloped at this time, existing site partially developed.	
	Topography	Open space, flat with some vegetation,	
	Other Features	Some rock outcroppings.	

SUMMARY EVALUATION

CRITICAL AREAS REVIEW	
Critical Aquifer Recharge Area	High Susceptibility
Floodplain	N/A
Geologically Hazardous Areas	N/A
Wetlands	Small portion located in the north-east section
Hydric Soils	N/A
Stream Buffers	N/A

STATE ENVIRONMENTAL POLICY ACT (SEPA)

An environmental checklist was prepared by Lewis County for the proposal and Determination of Non-Significance (DNS) for a non-project action was issued for the proposal on June 1st, 2011, with a comment and appeal period ending on June 21st, 2011. The DNS was circulated to agencies of jurisdiction and published in the East County Journal on June 1st, 2011.

PUBLIC NOTICE REQUIREMENTS

Notice of the public hearing on the proposal was published in the Legal Notice section of the East County Journal and the Chronicle on June 15, 2011.

Public Participation

The applicant and Lewis County Community Development Department have met the following Public Participation Program guidelines for public notice and public hearing(s):

- Circulation of application and SEPA to affected Lewis County agencies and jurisdictions
- County-wide general circulation of a legal notice placed in the East County Journal and the Chronicle on June 15, 2011.
- Public meeting & workshop held in Lewis County Courthouse on April 26, 2011, and May 24th, 2011 at 7:00 p.m.
- County-wide general circulation of a legal notice for amendment and hearing date placed in the East County Journal and the Chronicle on June 15th, 2011.
- Circulation of amendment to state agencies for review as required by RCW 36.70A
- Publication of amendment and map on Lewis County internet site
- Information regarding proposed Rezones and concurrent Comprehensive Plan Map Amendment(s) were available at Timberland Regional Libraries and Senior Centers.

PUBLIC COMMENT

None received as of the date this report was produced.

STAFF REPORT ON AMENDMENT REQUEST

File No: MSC10-0119

Request: The application is a request to change the zoning from RDD-5 to Rural Area Industrial (RAI), with a concurrent Comprehensive Plan Map change from RDD-5 to Rural Industrial Area (RAI).

Application Summary: The applicant states that the subject parcel is unlikely to ever develop as RDD residential development being adjacent to the existing industrially zoned land, with current industrial uses operating on the existing Rural Area Industrial land, which is the Curtis Pole Yard, with a maintained railroad, operated by the Port of Chehalis, and some environmental constraints related to stream buffering. The

applicant states the only access to the property zoned RDD-5 is through a portion of the property owned by the co-applicant. The applicant states the property has never materialized as RDD-5 development due to the constraints discussed above.

The applicant states that expanding the current Rural Area Industrial, (RAI) zoning and concurrent Comprehensive Plan Map Amendment would create consistency between the uses, and the current zoning in this area.

Site Information: The proposal consists of four parcels that are approximately 325 acres in size, located north of Moon Hill Road, east of Parker Road, south of State Route 6, and west of Boistfort Road. The site is primarily open space, with some vegetation on the east and north parcel. Property to the west and south are developed with open acreage home sites with RDD-5 designations. An area of RDD-20 exists to the southeast of the proposal. To the north and east are a mix of various size parcels with home sites and open space with designations of Agricultural Resource Lands. The South Fork Chehalis River is located to the east, and the Chehalis River is located to the north.

APPLICABLE ZONING ORDINANCE & COMPREHENSIVE PLAN GOALS AND POLICIES

The zoning ordinance & Comprehensive Plan and other applicable regulations provide the framework for consideration of zone changes and concurrent Comprehensive Plan Map amendments. Following are relevant zoning & Comprehensive Plan text citations related to the consideration of the proposed amendment.

Applicable Lewis County Zoning Code Chapters:

Chapter 17.30 Resource Lands

Rural Development District (RDD)

17.100.010 Purpose

The Rural Development District is the portion of land in Lewis County not otherwise designated. While the Rural Development District has an overall density designation of one unit per five acres, one unit per ten acres, one unit per twenty acres, the combinations of steep slopes, tight soils, flood plains, and unbuildable critical areas will provide a wide variety of rural residential densities, and will preserve the rural character of the county while providing reasonable opportunity for any low density development. The purpose of this chapter is to achieve a variety of lot sizes, protect rural character, and protect small rural business which have historically served the citizens of Lewis County.

Rural Area Industrial

17.75.010 Purpose

Rural Area Industrial sites are rural areas of more intense development under RCW 36.70A.070 and have been identified where industrial activities have existed historically and are planned for future activity, in concert with plans by public agencies. The purpose of this zone is to provide guidelines for development in such zones, and to insure that such zones do not create a need for urban services or lead to urban development in rural areas.

17.75.020 Permitted uses – Curtis Industrial Park

- (1) The Curtis Industrial Park includes lands used by Weyerhaeuser for log yard and sorting yards and has potential for rail-oriented large scale industrial uses.
- (2) Uses within the planned areas may be limited to rail-oriented industrial uses and/or resource uses and associated supporting uses, or general uses identified in LCC 17.75.035.

- (3) RCW 36.70A.365

Major industrial developments.

A county required or choosing to plan under RCW [36.70A.040](#) may establish, in consultation with cities consistent with provisions of RCW [36.70A.210](#), a process for reviewing and approving proposals to authorize siting of specific major industrial developments outside urban growth areas.

(1) "Major industrial development" means a master planned location for a specific manufacturing, industrial, or commercial business that: (a) Requires a parcel of land so large that no suitable parcels are available within an urban growth area; or (b) is a natural resource-based industry requiring a location near agricultural land, forest land, or mineral resource land upon which it is dependent. The major industrial development shall not be for the purpose of retail commercial development or multitenant office parks.

(2) A major industrial development may be approved outside an urban growth area in a county planning under this chapter if criteria including, but not limited to the following, are met:

- (a) New infrastructure is provided for and/or applicable impact fees are paid;
- (b) Transit-oriented site planning and traffic demand management programs are implemented;
- (c) Buffers are provided between the major industrial development and adjacent nonurban areas;
- (d) Environmental protection including air and water quality has been addressed and provided for;
- (e) Development regulations are established to ensure that urban growth will not occur in adjacent nonurban areas;
- (f) Provision is made to mitigate adverse impacts on designated agricultural lands, forest lands, and mineral resource lands;
- (g) The plan for the major industrial development is consistent with the county's development regulations established for protection of critical areas; and
- (h) An inventory of developable land has been conducted and the county has determined and entered findings that land suitable to site the major industrial development is unavailable within the urban growth area. Priority shall

be given to applications for sites that are adjacent to or in close proximity to the urban growth area.

(3) Final approval of an application for a major industrial development shall be considered an adopted amendment to the comprehensive plan adopted pursuant to RCW [36.70A.070](#) designating the major industrial development site on the land use map as an urban growth area. Final approval of an application for a major industrial development shall not be considered an amendment to the comprehensive plan for the purposes of RCW [36.70A.130](#)(2) and may be considered at any time.[1995 c 190 § 1.]

Applicable Lewis County Comprehensive Plan Chapters:

Rural Area Development – Guidelines

A. Areas of More Intense Rural Development

“Rural areas in Lewis County are those lands that are not within a UGA, and not within designated timber, mineral, or agricultural lands of long-term significance. Within the rural lands, the County recognizes several categories of uses considered for more intense rural area development”.....“existing rural industrial areas (the Curtis Railyard)”.

Rural Area Industrial

The Rural Area Industrial designation allows industrial uses in the rural area which are primarily dependent on natural resources. Existing designated areas include:
Curtis Railyard: The Curtis Railyard is an historic log and mill site located westerly of I-5. Use of the site predates GMA. The railyard has an existing rail siding and water supply from the Boistfort Water District. The Curtis Railyard serves a need for large rail-oriented or resource parcels that do not require municipal sewer. The site has been changed from a UGA to a rural industrial area of more intensive use to avoid creating a demand for sewer in the area. Development regulations shall limit the Curtis Railyard to resource and rail related large lot uses which cannot be served in the UGA. A master plan process shall be created to enforce these rules. The boundaries shall conform to RCW 36.70A.070(5)(d)(iv). An alternative approach is to designate the site for potential major industrial development under RCW 36.70A.365. Such designation would be processed through Chapter 17.10 LCC.

Rural Areas Goals, Objectives and Policies

R Goal: Allow for industrial uses in the rural area that are primarily dependent on the natural resources derived from the rural area.

R Objective 3: Allow industries such as warehousing, a manufacturing and distribution in areas beyond urban growth areas where appropriate.

Policy R3.1: Allow industries to locate in rural areas proximate to transportation corridors such as Federal and State Highways or railroads.

Policy R3.2: Ensure that any rural location chosen for an industrial use is served by or can be served with necessary infrastructure, (for example: community wells and septic systems).

LU GOAL: Retain Lewis County's existing and traditional industrial development as well as expand and diversify its industrial base.

Objective LU7: Encourage industrial development of all types while mitigating negative impacts on surrounding areas.

Policy LU 7.4: New residential uses should be discouraged from locating near active extractive or other type of industrial site unless the residential developer provides adequate buffer from the industrial use.

Policy LU 7.6: Industrial development should occur with minimal environmental impacts.

Objective LU8: Assure an adequate supply of prime industrial sites to meet market demands for industrial development over the planning horizon.

Policy LU 8.3: Allow for the designation of Major Industrial Developments/Major Industrial Developments – Master Planned Locations at certain specified locations outside of designated Urban Growth Areas pursuant with RCW 36.70A.365 and RCW 36.70A.367.

Cumulative Impact Evaluation

The Planning Commission should review specific objectives and policies related to each zone change and concurrent comprehensive plan map amendment in its decision. Staff has listed the objectives and policies related to this request. Additionally, information contained on the rezone application itself must be weighed against criteria in the Zoning Ordinance and Comprehensive Plan.

MSC-10-0119 is a request for zone change from RDD-5 to Rural Area Industrial (RAI), and concurrent Comprehensive Plan Map amendment from RDD-5 to Rural Area Industrial (RAI). Currently, the parcel sites under consideration are zoned RDD-5. The site would not be conducive to residential use due to the existing industrial park with a current industrial use which would encourage incompatible uses. The area has not been developed as RDD-5, and is vacant at this point.

Changing the zoning of the site from RDD-5 to Rural Area Industrial would allow for a similar land use pattern and similar uses related to the industrial use in existence (Curtis Pole Yard) than if the land was utilized as RDD-5. The applicant has provided materials that show the site is more compatible with industrial development. Re-designation to

Rural Area Industrial (RAI) would provide utilization of the parcels that are unlikely to develop as residential. Staff recommends re-zoning to Rural Area Industrial, with a concurrent Comprehensive Plan Map amendment change to Rural Area Industrial.

Attachments:

Applicant Application